

# HOUSE BILL 738

I3

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By: **Delegates Frick, Barkley, Bates, Bobo, Carr, DeBoy, Gilchrist, Hixson, Huckler, Kaiser, A. Kelly, Lee, Luedtke, McDermott, W. Miller, Minnick, Mizeur, Myers, Pendergrass, Reznik, Rudolph, Stocksedale, F. Turner, Waldstreicher, and Walker**

Introduced and read first time: February 10, 2011

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Free Credit Reports and Credit Scores – Prohibited**  
3 **Practices**

4 FOR the purpose of prohibiting a person from offering to provide a consumer with a  
5 free credit report or credit score if the offer is contingent on the consumer  
6 making a certain purchase or enrolling in a certain program or subscription  
7 service; providing that a violation of this Act is an unfair or deceptive trade  
8 practice within the meaning of the Maryland Consumer Protection Act and is  
9 subject to certain enforcement and penalty provisions; defining a certain term;  
10 and generally relating to an offer to provide a consumer with a free credit report  
11 or credit score.

12 BY adding to  
13 Article – Commercial Law  
14 Section 14–1324  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2010 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Commercial Law**

20 **14–1324.**

21 **(A) IN THIS SECTION, “CONSUMER” HAS THE MEANING STATED IN §**  
22 **13–101 OF THIS ARTICLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) A PERSON MAY NOT OFFER TO PROVIDE A CONSUMER WITH A FREE**  
2 **CREDIT REPORT OR CREDIT SCORE IF THE OFFER IS CONTINGENT ON THE**  
3 **CONSUMER:**

4                   **(1) PURCHASING GOODS OR SERVICES; OR**

5                   **(2) ENROLLING IN A PROGRAM OR SUBSCRIPTION SERVICE THAT**  
6 **REQUIRES THE CONSUMER TO MAKE A PAYMENT.**

7           **(C) A VIOLATION OF THIS SECTION IS:**

8                   **(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**  
9 **MEANING OF TITLE 13 OF THIS ARTICLE; AND**

10                   **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**  
11 **CONTAINED IN TITLE 13 OF THIS ARTICLE.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2011.